

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

December 28, 2011

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on December 22, 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending December 28, 2011 in the amount of \$ 255,458.67 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of December 21 – December 27, 2011
- Report from the Building Inspector's Office from December 12 – December 27, 2011

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council in the amount of \$ 1,035,218.18 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Calnon; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL: None

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves extending the workers compensation leave with benefits of Officer Michael Lawliss who is out on a work related injury. This is to extend his benefits 12 weeks, until March 21, 2012.

By Councilor Calnon; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLUTION: Acceptance of Lease surrender and property improvements in satisfaction of loan obligation.

Whereas:

1. On May 31, 2001 and September 13, 2001 the City of Plattsburgh loaned the Lake City Local Development Corporation the sum of \$240,000 from its Economic Development Loan fund to acquire an existing lease from Heritage Adventures Inc. and to construct a building for a tour boat food preparation facility, water and sewer lines and parking on land that was later acquired by the City of Plattsburgh from the Delaware and Hudson Railway corporation.
2. The Lake City Local Development Corporation made loan payments to the City of Plattsburgh in the aggregate amount of \$5000.00 dollars. The loan balance was \$235,000.00 (two hundred thirty-five thousand dollars) as of June 23, 2011.
3. On or about June 23, 2011, the Lake City Local Development Corporation surrendered its lease on the property to the City of Plattsburgh.
4. As of the date of the lease surrender, the book value of the property improved with Economic Development Loan was \$482,351.00.

Now therefore, **IT IS RESOLVED:**

In consideration for the surrender of the leasehold improvements, the City of Plattsburgh hereby deems the Economic Development Loan made to the Lake City LDC Inc. to be paid and satisfied.

By Councilor Tiffer; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves the Recreation Department to host and co-sponsor the “Race the Base” Race for Hope at the City Recreation Center on March 17, 2012. The race will be a one mile run in a time trial format on the elevated track in the Recreation Center. All proceeds will benefit the North Country Mission of Hope.

By Councilor Tiffer; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves Marjorie Long Heatherton and Derek Rosenbaum to host the ALS Walk of Hope Foundation “Walk of 1000 Umbrellas” at Trinity Park on May 26, 2012. Lower Court Street and Trinity Place would be closed to vehicle traffic to accommodate a festival and gathering of supporters. In addition, the walk would utilize sidewalks on Cornelia Street, Beekman Street, Broad Street, Margaret Street, Bridge Street, and City Hall Place.

By Councilor Case; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain be authorized to close Capital Projects (H5110.18) “2007 Waterfront Development/Saranac River Trail” and (H7020.16) “2010 Recreation Department Facilities.” These projects have been designated as finished by the City Engineer. Applicable funding is in place.

By Councilor Jackson; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to formalize the NYS Retirement Standard Workday and Reporting Resolution for the elected and appointed officials of the City of Plattsburgh for the current term of office.

By Councilor Rabideau; Seconded by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. MAYOR HANDS DOWN THE APPOINTMENT OF JOHN NILES AS PART TIME CITY COURT JUDGE FOR A PERIOD OF SIX YEARS EFFECTIVE JANUARY 3, 2012, IT BEING UNDERSTOOD THAT SAID TERM WILL EXPIRE ON JANUARY 2, 2018.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

H. Motion to waive rule 4 for initial consideration (3g) “To increase the General Fund Transfer to the Library by \$60,000 to reflect the rate increases for Retirement that occurred in 2011 and 2012 and to allow for additional funding for the Library Board’s cost reduction agreement with its AFSCME bargaining unit.

By Councilor Carpenter; Seconded by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

RESOLVED: In accordance with the request therefore the Common Council approves an increase to the General Fund Transfer to the Library by \$60,000 to reflect the rate increases for Retirement that occurred in 2011 and 2012 and to allow for additional funding for the Library Board’s cost reduction agreement with its AFSCME bargaining unit.

By Councilor Carpenter; Seconded by Councilor Calnon

Discussion:

Councilor Calnon said I am pleased that this is coming before us tonight because I think that particularly 3 groups need to be very proud of the fact that they can work together. The Library Board and the AFSCME bargaining unit certainly did an awful lot of hard work to get there and I'm glad to see that we get a chance tonight to really join them by taking an action in support of their agreement. I'm actually the one who worded this and I wanted to point out that the reason that it was worded the way it was, was because we wanted to be sure that we weren't penalizing the Library budget for things that were outside of their control. They had no control, as we didn't in the rest of the General Fund, over what the retirement rates were that we are getting from New York State. And so part of this increase is something that I think they just deserve to be treated the same way as every other department. We did not ask them to absorb the change in retirement rates we found a way to cover them. I'm just really happy that we can add in the other 30 to get them to the point where this agreement to go forward.

Councilor Carpenter said I'd just like to explain for those that don't know. This is the very last step of a plan that was 3 weeks in the creating and the putting together. The other night I was talking to someone by text just trying to make sure that we had everything figured out here. As I was waiting for a text to come back I just started writing down the names of the people that were involved in this and I counted them up and I came up with 57 names. It took 57 people working together to make this whole thing work. I'm pretty proud of that fact as I'm happy that all those people were able to work this out. It says a lot for us.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves two officers to attend the NYS Fire Academy Firefighter 1 Training Certification in Montour Falls, NY from February 22 – 28, 2012 at an estimated cost not to exceed \$492.

By Councilor Carpenter; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves Mayor Kasprzak to attend the New York Conference of Mayors 2012 Winter Legislative Meeting in Albany, NY from February 26 – 27, 2012 at an estimated cost not to exceed \$900.

By Councilor Carpenter; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves Mayor Kasprzak to attend the New York Conference of Mayors 103rd Annual Meeting in Saratoga Springs, NY from May 6 - 8, 2012 at an estimated cost not to exceed \$1,200.

By Councilor Calnon; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from the Community Development Office that Project HOME 2009-15 (Douglas - 12 Waterhouse St) be awarded to Handy Dan D Home Improvement for \$24,100.00 and will be funded by the 2009 HOME program.
2. Request to amend the Mayor's budget, to increase Information Technology Budget & General Fund Benefits Budget by \$54,000 to allow the Mayor the option to convert a Temporary Position to Permanent.
 - a. If that fails: to increase Information Technology Position Budget by \$24,000 to allow the Mayor the option of seeking an extension of a Temporary Position for an additional six months.
3. Request to amend the Mayor's Budget:
 - a. To adjust the management salary schedule with a raise of \$1,250.
 - b. To increase Recreation expense budget by \$34,812 to allow for the elimination of one position, to be replaced by a Recreation Activity Specialist, and to increase the projected revenue by \$20,000, as an expected result of filling that position.
 - c. To increase Recreation budget to include \$25,000 for a feasibility study regarding conversion of the old beach bathhouse to a restaurant.
 - d. To reduce the Retirement Reserve by \$100,000.
 - e. To reduce the projected Aid to Municipalities by \$54,120, to reflect the expected reduction in this State Aid.
 - f. To increase the projected cost of Worker's Compensation Insurance by \$32,000 (General Fund) to reflect industry increase.
 - g. To increase the General Fund Transfer to the Library by \$60,000 to reflect the rate increases for Retirement that occurred in 2011 and 2012 and to allow for additional

funding for the Library Board's cost reduction agreement with its AFSCME bargaining unit. **(Move to Agenda under "Other Items" Letter H)**

h. To create an Infrastructure Investment Charge beginning at 95¢ per month for a 5/8" service and graduated up, to provide for the Capitol Cost of Mead Dam repairs.

- 4.** Request to amend the Mayor's Budget to increase the 2012 use of unreserved/unappropriated General Fund Balance to \$1,842,358 (up \$200,000 from Mayor's Budget) to set the tax levy at \$9,172,916.44 with a corresponding tax rate of \$10.40/\$1,000 of assessed valuation; a change of levy of 1.0% and NO tax rate change, 0.0%.
- 5.** Request to revise the Mayor's Budget Capital Plan to move \$350,000 for Library HVAC from 2013 to 2012.
- 6.** Request from Jonathan Ruff Environmental Manager that "Westbrook 2 Reservoir Bathometric Survey" contract with CHA for the total cost of \$17,500 be approved and that the Mayor be authorized to execute all necessary documents.

10. NEW BUSINESS:

Councilor Jackson said there will be a MLD Board meeting after this meeting that will hopefully be very quick.

11. CLOSING PUBLIC COMMENTS:

Roland Lockwood 49 Cogan Avenue said I would like to personally thank Councilor Carpenter for his work in helping the Library Board. I'd also like to thank the union for doing what they needed to do to help us also. They not only helped us but they helped themselves and I think in the long run they are going to help the city too.

Mayor Kasprzak said I would like to thank the Board too. It was a concerted effort and all the pieces had to fit and you people spent a lot of time working and discussing things and it was an effort that obviously came through for everybody so don't short change yourselves on that either. It was not just those other parties you guys were all involved too.

Roland Lockwood 49 Cogan Avenue said it was definitely an effort on everybody's part.

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

MEETING ADJOURNED: 5:45 pm